



Ordinance Number 547 As Amended

**AN ORDINANCE AMENDING CHAPTER 225 – 36.1 C OF THE CODE OF THE
TOWN OF ELSMERE BY ALLOWING THE TOWN ATTORNEY TO DECIDE
IF THEY NEED TO BE PRESENT AT A MEETING IN WHICH A “NON –
CONFORMING USE PERMIT” IS BEING CONSIDERED**

Sponsored By: 2nd District Councilman Steven Burg

First and Second Reading:
March 08, 2012

Results: Passed 6 In Favor, 0 Opposed with 1 Vacant

Third and Final Reading:
April 12, 2012

Results: Passed 6 In Favor, 0 Opposed with 1 Absent

Ordinance Number 547

As Amended

AN ORDINANCE AMENDING CHAPTER 225 – 36.1 C OF THE CODE OF THE TOWN OF ELSMERE BY ALLOWING THE TOWN ATTORNEY TO DECIDE IF THEY NEED TO BE PRESENT AT A MEETING IN WHICH A “NON – CONFORMING USE PERMIT” IS BEING CONSIDERED

WHEREAS, the Mayor and Council wish to remove the requirement that the Town Attorney be present at meetings where a “Non-Conforming Use Permit” is being considered.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:

That Section 225-36.1 C of Chapter 225 of the Code of the Town of Elsmere be deleted in its entirety and that a new Section 225-36.1 C to read as follows be inserted in its place.

225-36.1 C At any meeting where a “Non-Conforming Use Permit” is scheduled to be considered, the Town Attorney shall be notified of the meeting. The attorney shall review the application and facts of the request. They shall then either attend the meeting or send to the chairman of the committee holding the hearing any comments he or she deems appropriate.

March 08, 2012
First and Second Reading

April 12, 2012
Third and Final Reading

Deborah A. Norkavage, Mayor

Joann I. Personti, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS

ORDINANCE 547 As Amended

This Ordinance removes the requirement that mandated the Town Attorney attend meetings where a “Non-Conforming Use Permit” was being considered and allows the attorney to review the facts and determine if they need to attend the meeting or not.

Fiscal Impact:

None